



*South Carolina*  
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April 14, 2021

**VIA ELECTRONIC FILING**

The Honorable Jocelyn Boyd  
Chief Clerk/Executive Director  
The Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

RE: Docket 2020-247-A  
Workshops Regarding the Public Service Commission's Formal Review of Its  
Regulations Pursuant to S.C. Code Ann. Section 1-23-120(J)  
Department of Consumer Affairs Reply Comments on Electric and Gas Systems

Dear Ms. Boyd:

In accordance with the Commission notices provided in this docket, the Department of Consumer Affairs submits the following comments in reply to those submitted by other parties in this matter.

1. Location of Records Comments

DESC, Duke, and Piedmont each made suggestions reflecting that the companies do not operate local offices accessible to their customers. The Department disagrees with DESC's proposal to add the definition of "local office or business office" to §103-302 and §103-402 because each definition includes the following statement: "In the event the utility does not operate a local office or business office the section or subsection of the regulation does not apply to the electrical utility." We interpret this to mean that a utility would not be obligated to provide information required by the regulation based only on the absence of a local office. This information should be available on the company's website (as suggested by Duke and Piedmont) or by contacting the company, whether at a local office, general information phone line, or by email.

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Another potential resolution could be to change “utility’s local office” in 103-339.2(f) and 103-439.2(f) to “utility”. (For example: “In lieu of such information on the bill, a statement must be on the bill advising that such information can be obtained by contacting the electrical utility.”) Similar revisions could be made to 103-346 and 103-446 to remove “local office”. (For example: “Complete schedule, contract forms, rules and regulations, etc., as filed with and approved by the commission, shall also be on file at the electrical utility and shall be provided for inspection by the public upon request.” As suggested by DESC, we agree that these records could be kept in accessible cloud-based or electronic records retention systems.

## 2. Comments regarding notifications by U.S. Mail

The Department generally agrees a customer should be able to choose to receive electronic notifications. However, a customer must be informed an electronic communication will also be used for termination/disconnection notices before agreeing to such communications. This must be an opt-in (as opposed to opt-out) process. Further, each type of notification being received electronically should be specifically noted. Customers could also be given the opportunity to receive both US Mail and electronic mail for certain notifications such as disconnections or termination of service.

## 3. Comments related to billing

The Department understands the proposed changes to the regulations to account for Advanced Metering Infrastructure (AMI), particularly those regarding usage data and meter readings. However, we do have some concern regarding Duke’s proposed change to Regulation 103-321 and Piedmont’s proposed revision to 103-421. The current range provides a form of stability in billing cycles. Although the regulations provide for bills to be provided “on a monthly basis” and for customers to be billed “as promptly as possible” (103-339) or as “promptly as practicable” (103-439) following the reading of the meter, our concern is that with the proposed changes, the billing period and therefore the billed amounts, may become less certain. For example, if “monthly basis” were interpreted to allow one bill to be sent January 10<sup>th</sup>, the next on February 28<sup>th</sup>, and the next on March 17<sup>th</sup>, then customers would have more difficulty appropriately budgeting for their bills each month. We recognize that this is not the common practice of utilities; however, the proposed changes appear to allow it.

The Department is also concerned with Duke’s proposed change to Reg. 103-352, which would allow disconnections on Fridays and removes the prohibition on terminations on a day before a utility’s collection office is closed. We understand that some companies no longer have a physical office for customers to visit. However, if customer service phone lines are also closed on the weekends (or certain other days), then termination should not be allowed on the day preceding the closures. Otherwise, a termination may last several days due only to the utility’s office or phone closure.

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The Department supports Piedmont's proposal to revise 103-440.6 to allow a utility discretion in billing consumers when an undercharge is the result of human or machine error. We note the applicable electric regulation, 103-340.6, already states a utility "may" do so (as opposed to 103-446.6 which states "shall").

#### 4. Comments regarding pipelines and condemnation

At this time, we have not reviewed the proposed regulation changes extensively enough to comment on particular aspects, but we do believe the Commission could provide additional safeguards for consumers in these cases. The Department supports these parties' positions to the extent they provide more transparency in eminent domain proceedings and better notice of landowners' rights throughout the process.

We look forward to the scheduled workshop and further discussing these important issues with the Commission, utilities, and other interested parties.

Regards,



Roger Hall, Esq.  
*Deputy Consumer Advocate*